

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

No claims have been cancelled or added by this response. Therefore, claims 1, 3-6, 8-10, 12 and 13 remain pending, of which claims 1, 5, 6, and 10 are independent.

Noted - Drawings Approved

The indication that the Drawings submitted on November 26, 2003 have been approved is noted with appreciation.

Claim Objection

Claims 1, 5, 6 and 10 are objected to because the language "upon no worker information is extractable for a work item" is unclear.

Claims 1, 5, 6 and 10 have been amended to address this objection to the claims. Accordingly, withdrawal of the objection to the claims is respectfully requested.

Claim Rejection Under 35 U.S.C. 112, Second Paragraph

Claims 1, 3-6, 8-10 and 11-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Because claim 11 has been cancelled in the Response filed September 11, 2008, it is assumed in the following that the examiner intended to reject claims 1, 3-6, 8-10, 12 and 13 under 35 U.S.C. 112, second paragraph.

Independent claim 1 has been amended to clarify "extracting by the computer, with respect to each stored work item in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result

of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

Independent claim 5 has been amended to clarify "extracting by the processor, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

Independent claim 6 has been amended to clarify "a worker extracting unit configured to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information of a worker who will have a skill capable of performing said work item by a time when said work item of the work order is actually generated, based on the information related to the end date of the training stored in the skill information storage unit".

Independent claim 10 has been amended to clarify "a worker extracting procedure causing the computer to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill

information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

The amendments to independent claims 1, 5, 6 and 10 are clarifying amendments responsive to the examiner's interpretation to further clarify the extraction of the worker information.

Accordingly, withdrawal of the claim rejection under 35 U.S.C. 112, second paragraph, is respectfully requested.

Claim Rejection Under 35 U.S.C. 101

Claims 1-9 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claims 1 and 3-6 have been amended to address this rejection of the claims to further clarify that claims 1-9 are directed to statutory subject matter. Accordingly, withdrawal of the claim rejection under 35 U.S.C. 101 is respectfully requested.

Claim Rejection Under 35 U.S.C. 103

Claims 1, 5, 6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. (US Pat-7,155,400) in view of Casey-Cholakis et al. (US Pat-6,438,353).

INDEPENDENT CLAIM 1

Independent claim 1 has been amended to recite, among other things, "extracting by the computer, with respect to each stored work item in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the

skill information storage unit, and if no worker information is extractable for a work item as a result of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

As acknowledged by the examiner on page 9, lines 10-12 of the Office Action, Jilk et al. does not disclose or suggest, among other things, "if no worker information is extractable for a work item as a result of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit", as is recited in independent claim 1. As such, at least these features of claim 1 provide distinctions over Jilk et al.

Page 9, lines 13-20 of the Office Action relies on Casey-Cholakis et al. as disclosing that a training system tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

In addition, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, "extracting by the computer, with respect to each stored work item in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said extracting,

extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit (underlined emphasis added)", as is recited in independent claim 1. Accordingly, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest all of the features of each of independent claim 1.

INDEPENDENT CLAIM 5

Independent claim 5 has been amended to recite, among other things, "extracting by the processor, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

On page 10, lines 6-7 of the Office Action, the rejection of independent claim 5 indicates claim 5 recites substantially similar subject matter to independent claim 1 and therefore is rejected for similar rationale.

Page 9, lines 13-20 of the Office Action relies on Casey-Cholakis et al. as disclosing that a training system tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated

training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

In addition, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, "extracting by the processor, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said extracting, extracting worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit (underlined emphasis added)", as is recited in independent claim 5. Accordingly, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest all of the features of each of independent claim 5.

INDEPENDENT CLAIM 6

Independent claim 6 has been amended to recite, among other things, "a worker extracting unit configured to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information of a worker who will have a skill capable of performing said work item by a time when said work item of the work order is actually generated, based on the information related to the end date of the training stored in the skill information storage unit".

On page 10, lines 6-7 of the Office Action, the rejection of independent claim 6 indicates claim 6 recites substantially similar subject matter to independent claim 1 and therefore is rejected for similar rationale.

Page 9, lines 13-20 of the Office Action relies on Casey-Cholakis et al. as disclosing that a training system tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

In addition, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, "a worker extracting unit configured to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information of a worker who will have a skill capable of performing said work item by a time when said work item of the work order is actually generated, based on the information related to the end date of the training stored in the skill information storage unit (underlined emphasis added)", as is recited in independent claim 6. Accordingly, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest all of the features of each of independent claim 6.

INDEPENDENT CLAIM 10

Independent claim 10 has been amended to recite, among other things, "a worker extracting procedure causing the computer to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item, based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit".

On page 10, lines 6-7 of the Office Action, the rejection of independent claim 10 indicates claim 10 recites substantially similar subject matter to independent claim 1 and therefore is rejected for similar rationale.

Page 9, lines 13-20 of the Office Action relies on Casey-Cholakis et al. as disclosing that a training system tracks end of date training and sends emails when training is required, and stores said information in a database (column 4, lines 33-55). However, Casey-Cholakis et al. merely manages a due date for completion of the training program. This due date merely indicates a target date by which the administrator urges the user to complete the training program. Further, Casey-Cholakis et al. merely updates the training history of the user, and does not store "an end date of a training which is being received by each worker". The updated training history according to Casey-Cholakis et al. merely indicates which training has been completed and which training has not been completed.

In addition, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest, among other things, "a worker extracting procedure causing the computer to extract by a first extraction, with respect to each work item stored in the work item information storage unit in response to a work order, worker information related to a worker having a skill capable of performing each work item,

based on the skill information of workers stored in the skill information storage unit, and if no worker information is extractable for a work item as a result of said first extraction, to extract by a second extraction worker information related to a worker who will have a skill capable of performing said work item by a time when said work item of the work order is generated, based on the information related to the end date of the training stored in the skill information storage unit (underlined emphasis added)", as is recited in independent claim 10. Accordingly, the asserted combination of Jilk et al. and Casey-Cholakis et al. does not disclose or suggest all of the features of each of independent claim 10.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination of references teaches or suggests each and every element of the claimed invention. In view of the distinctions of claims 1, 5, 6 and 10 noted above, at least one claimed element is not present in the asserted combination of references. Hence, the Office Action fails to establish a *prima facie* case of obviousness vis-à-vis claims 1, 5, 6 and 10.

Accordingly, it is respectfully submitted that independent claims 1, 5, 6, 10 are not made obvious by the asserted combination of Jilk et al. and Casey-Cholakis et al. Therefore, claims 1, 5, 6 and 10 are allowable over the references of record.

Claims 3, 4, 8, 9, 12 and 13

Claims 3, 4, 8, 9, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jilk et al. in view of Casey-Cholakis et al., in further view of Brodersen et al. (US Pat-6,850,895).

It is respectfully submitted that, for at least the reasons set forth earlier with regard to claims 1, 5, 6, 10, their dependent claims 3, 4, 8, 9, 12 and 13 are not made obvious by the asserted combination of Jilk et al. and Casey-Cholakis et al. In addition, it is respectfully submitted that Brodersen et al. does not teach or suggest at least the amended features in claims 1, 5, 6, and 10 (and thus their respective dependent claims 3, 4, 8, 9, 12 and 13).

PATENT

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Accordingly, as noted above, claims 3, 4, 8, 9, 12 and 13 are also allowable over the references of record.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 50-4610.

Respectfully submitted,

Dated: February 16, 2010

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